

Message Text

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PAGE 01 STATE 198768

45

ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOT-00 EB-07 INR-07 NSAE-00 FAA-00 TRSE-00 IO-10

OIC-02 SS-15 NSC-05 H-02 PA-01 PRS-01 USIE-00 AF-06

ARA-06 EA-07 NEA-10 INRE-00 NSCE-00 /097 R

DRAFTED BY L/AF:FKWILLIS

APPROVED BY L/AF:FKWILLIS

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FM SECSTATE WASHDC

TO AMEMBASSY PARIS IMMEDIATE

INFO AMEMBASSY LONDON

AMCONSUL MONTREAL

AMEMBASSY THE HAGUE

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E.O. 11652:

TAGS:EAIR, ICAO, PORG

SUBJECT: ICAO DIPLOMATIC CONFERENCE ON REVISION OF HAGUE
PROTOCOL TO THE WARSAW CONVENTION, MONTREAL, SEPT. 1975

REF: PARIS 20902

1. REQUEST EMBASSY ADVISE GUILLAUME THAT ENTIRE TEXT OF US
PROPOSAL (NOW SUBMITTED TO ICAO) IS AS CABLED EARLIER. WE
HAVE NOT ATTACHED TO IT ANY PROPOSED CLAUSES OR ARTICLES
AT THIS STAGE FOR FEAR THAT IT WOULD UNNECESSARILY COMPLI-
CATE MATTERS. THRUST OF PROPOSAL IS INTENDED TO BE QUITE
SIMPLE: TO ASSURE THAT MODIFICATIONS TO HAGUE
CARGO PROVISIONS ALSO BECOME MODIFICATIONS TO GUATEMALA
CARGO PROVISIONS (WHICH ARE THE SAME AS HAGUE CARGO
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PAGE 02 STATE 198768

PROVISIONS). HOW THIS IS DONE AS TECHNICAL DRAFTING

MATTER WOULD BE DECIDED BY CONFERENCE AND WE CHOOSE TO AVOID TAKING A FIRM POSITION ON SPECIFIC METHOD. THAT IS WHY US PAPER SUGGESTS A SINGLE NEW INSTRUMENT COMPOSED OF GUATEMALA PASSENGER AND NEW CARGO PROVISIONS, BUT DOES NOT SPECIFICALLY PROPOSE THIS SOLUTION. PROPOSAL IS LIMITED TO TWO POINTS AND DOES NOT RPT NOT INCLUDE PROPOSAL FOR SIMPLE FORM OF INSTRUMENT OR INSTRUMENTS. PROPOSAL MERELY COVERS PROCEDURAL POINT THAT AGENDA OF CONFERENCE INCLUDE AMENDMENT OF GUATEMALA CARGO PROVISIONS AND

SUBSTANTIVE POINT THAT MODIFICATIONS ADOPTED BY CONFERENCE TO HAGUE PROTOCOL ALSO BECOME MODIFICATIONS TO GUATEMALA PROTOCOL. TO RPT, WHILE US PAPER CONTAINS A SUGGESTION AS TO FINAL FORM OF INSTRUMENT, IT DOES NOT PROPOSE ANY PARTICULAR FORM.

2. RE PARA 3 REFTTEL YOU SHOULD ADVISE GUILLAUME THAT US WILL SUPPORT POSITION THAT A COUNTRY MAY BE PARTY TO TWO OR MORE PROTOCOLS. US WOULD INTEND TO PRESS FOR A RESULT SUBSTANTIVELY EQUIVALENT TO GUATEMALA CITY RESULT; NAMELY, A RESULT IN WHICH A STATE COULD MAINTAIN RELATIONSHIPS UNDER ONLY ONE TREATY IF IT WANTED, BUT WOULD ALSO HAVE CHOICE TO BE PARTY TO MORE THAN ONE INSTRUMENT. (FOR EXAMPLE, THIS RESULT COULD BE OBTAINED WITH PROVISIONS PERMITTING STATES TO DENOUNCE EARLIER INSTRUMENTS WHEN RATIFYING A NEW INSTRUMENT, BUT NOT REQUIRING DENUNCIATION, AS IN ARTICLE XXII OF GUATEMALA PROTOCOL.)

3. WILLIS WOULD APPRECIATE VERY MUCH TALKING WITH GUILLAUME AT EARLIEST POSSIBLE MOMENT. GUILLAUME COULD REACH WILLIS DURING THE BUSINESS HOURS AT 202-632-3736 OR AT HOME AT 301-283-3111. WILLIS AND ARNOLD KEAN OF UK ARE MEETING AT NOON, AUGUST 28, AT STATE DEPARTMENT AND, IF CONVENIENT, GUILLAUME'S ATTENDANCE WOULD BE WELCOME.
MAW

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